

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Rebecca Capers,) Civil Action No. 5:20-cv-01012-JMC
)
Plaintiff,)
)
vs.)
)
Wal-Mart Stores, Inc., and)
Wal-Mart Stores East, LP,)
)
Defendants.)

)

ORDER REMANDING CASE

This case was originally filed in the Court of Common Pleas for Orangeburg County, South Carolina on January 20, 2020, and was removed to this Court by defendants on March 11, 2020. The removal was made pursuant to 28 U.S.C. §§ 1331, 1332, 1441, 1446 and applicable Local Civil Rules of the United States District Court for the District of South Carolina on the basis that there was diversity of citizenship among the parties and that the amount in controversy exceeded Seventy-Five Thousand and No/100ths (\$75,000.00) Dollars.

Plaintiff and her counsel agree that once the case is remanded, a Stipulation as to the Amount-in-Controversy will be filed in state court, limiting the prayer to a sum not to exceed the amount of \$74,999, inclusive of actual and punitive damages, attorney's fees, and costs. Under these circumstances, it appears that this case should be remanded to the Orangeburg County Court of Common Pleas pursuant to 28 U.S.C.A. § 1447(c).

Therefore, upon the Motion of the parties, it is ordered that this case be remanded to the Orangeburg County Court of Common Pleas.

IT IS SO ORDERED.

s/J. Michelle Childs

The Honorable J. Michelle Childs
United States District Judge

March 19, 2020

Columbia, South Carolina